

ORDINANCE NO. 96- 39

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 PALM BEACH COUNTY COMPREHENSIVE PLAN ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED, AMENDING TEXT OF THE **LAND USE ELEMENT** (TO ACCOMMODATE THE UTILITIES TRANSPORTATION (U/T) DESIGNATION AS AN UNDERLYING DESIGNATION) AND AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR **96-65 CR/UT 1 (SECTION 6 - AIRPORT PROPERTY)**, MODIFYING PAGE 65 OF THE FLUA BY CHANGING A PARCEL OF LAND APPROXIMATELY 198 ACRES GENERALLY LOCATED NORTHEAST OF THE INTERSECTION OF SUMMIT BOULEVARD AND KIRK ROAD FROM INSTITUTIONAL (INST) AND UTILITIES TRANSPORTATION (U/T) TO COMMERCIAL RECREATION/UTILITIES TRANSPORTATION (CR/UT); PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY; AND PROVIDING FOR AN EFFECTIVE DATE.

**WHEREAS**, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

**WHEREAS**, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

**WHEREAS**, the Palm Beach County Local Planning Agency conducted a public hearing on April 19, April 26, and May 10, 1996, to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

**WHEREAS**, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on May 20, 1996, to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II,



1 Florida Statutes; and

2 WHEREAS, Palm Beach County received on August 9, 1996, the  
3 Department of Community Affairs "Objections, Recommendations, and  
4 Comments Report," dated August 7, 1996, which was the Department's  
5 written review of the proposed Comprehensive Plan amendments; and

6 WHEREAS, on September 4, 1996, the written comments submitted  
7 by the Department of Community Affairs, and the Planning Division's  
8 response to the written comments, were distributed to the Palm  
9 Beach County Local Planning Agency for review, and to make  
10 recommendations regarding adoption of the Comprehensive Plan  
11 amendments; and

12 WHEREAS, on September 26, 1996, the Palm Beach County Board of  
13 County Commissioners held a public hearing to review the written  
14 comments submitted by the Department of Community Affairs and to  
15 consider adoption of the amendments; and

16 WHEREAS, the Palm Beach County Board of County Commissioners  
17 has determined that the amendments as modified satisfy the concerns  
18 addressed in the Department of Community Affairs' "Objections,  
19 Recommendations and Comments Report" and comply with all  
20 requirements of the Local Government Comprehensive Planning and  
21 Land Development Regulations Act.

22 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY  
23 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

24 Part I. Amendments to the 1989 Comprehensive Plan

25 Amendments to the text the Land Use Element (to accommodate  
26 the Utilities/Transportation (U/T) designation as an underlying  
27 designation) of the Palm Beach County 1989 Comprehensive Plan are  
28 hereby adopted and are attached to this Ordinance in Exhibit 1.

29 An amendment to the Land Use Element's Future Land Use Atlas  
30 are hereby adopted and is attached to this Ordinance in Exhibit 1.

31 A. Future Land Use Atlas page 65 is amended as follows:

32 Application No.: 96-65 CR/UT 1 (Section 6)

33 Amendment: From Institutional (INST) and  
34 Utilities/Transportation (U/T) to  
35 Commercial Recreation with an



underlying Utilities/Transportation  
(CR/UT)

General Location: Northeast of the intersection of  
Summit Boulevard and Kirk Road

Size: 198 acres.

**Part II. Repeal of Laws in Conflict**

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

**Part III. Severability**

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

**Part IV. Inclusion in the Code of Laws and Ordinances**

The provision of this Ordinance shall become and be made a part of the code of laws and ordinances of Palm Beach County, Florida. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

**Part V. Effective Date**

The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status, a copy of which resolutions shall be sent to the Department of Community Affairs, Bureau of Local Planning, 2740 Centerview Drive, Tallahassee, Florida 32399-2100.

**APPROVED AND ADOPTED** by the Board of County Commissioners of Palm Beach County, on the 26 day of September, 1996.



1 ATTEST:  
2 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,  
BY ITS BOARD OF COUNTY COMMISSIONERS

3 By: Joan Hawell  
4 Deputy Clerk

[Signature]  
Chair

5 APPROVED AS TO FORM AND  
6 LEGAL SUFFICIENCY

7 [Signature]  
8 COUNTY ATTORNEY

9 Filed with the Department of State on the 3rd day  
10 of October, 1996.

11 I:\COMMON\PLANNING\CURRENT\AMEND\96-1\BCCADOPT\SECT6.ORD



EXHIBIT 1

**Land Use Element Text Amendment**

**Location:** *Section 13: Transportation and Utilities Facilities (U/T) of the Land Use Element*

**Change:** To accommodate the U/T designation as an underlying designation on Palm Beach County Department of Airports property.

**Amendment:** ADD TEXT, to the first paragraph on page 77-LU

The U/T designation may be applied as an underlying designation on territory which is under the ownership or operational control of the Palm Beach County Department of Airports.

**Future Land Use Atlas Amendment**

Future Land Use Atlas page 65 is amended as follows:

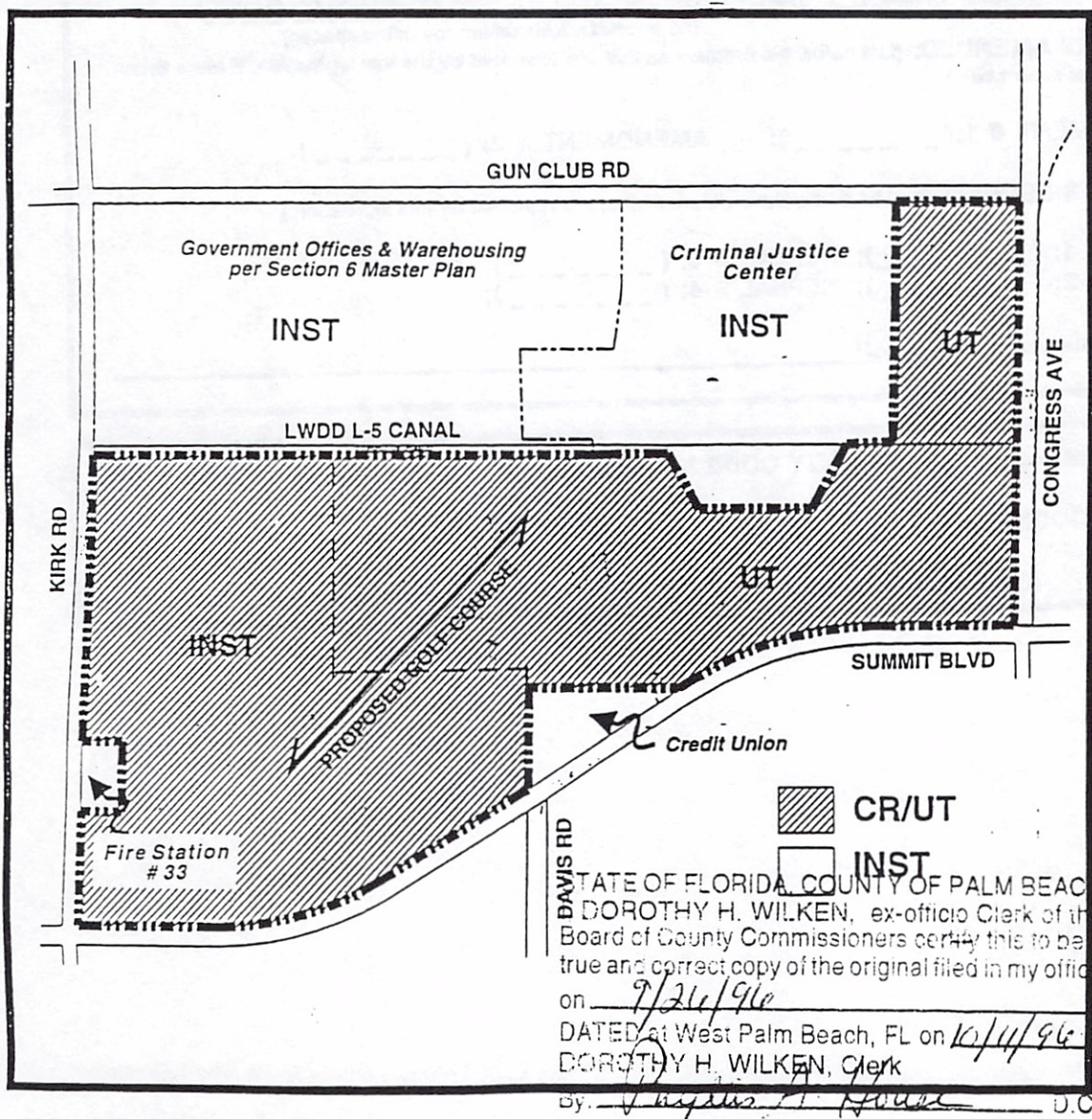
**Application No.:** 96-65 CR/UT 1

**Amendment:** From Institutional (INST) and Utilities/Transportation (U/T) to Commercial Recreation with an underlying Utilities/Transportation (CR/UT)

**General Location:** Northeast of the intersection of Summit Boulevard and Kirk Road

**Total Size:** 198 acres.

**Property Control Number:** 00-43-44-06-00-000-1010



Location/Land Use Map

96-65 CR/INST 1  
Section 6

Existing FLU - INST & UT

Proposed FLU - CR/UT  
& INST

Future Land Use  
Designations

INST - Institutional

CR - Commercial  
Recreation

UT - Utilities/  
Transportation



North

Not to Scale



8man  
Scale

## FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

**Instructions:** Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach)	COUNTY ORDINANCE # (87-1)
(e.g., 83-001)	
PRIMARY KEYFIELD DESCRIPTOR: (Comprehensive Planning)	
SECONDARY KEYFIELD DESCRIPTOR: (Land Use Planning)	
OTHER KEYFIELD DESCRIPTOR: ( )	
ORDINANCE DESCRIPTION: (PLAN TEXT Amendment)	
(25 characters maximum including spaces)	
ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: ( ); AMENDMENT # 2: ( )	
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: ( ); REPEAL # 3: ( );	
REPEAL # 2: ( ); REPEAL # 4: ( );	
(Others repealed: list all that apply):	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: ( )
KEYFIELD 1 CODE: ( )	KEYFIELD 2 CODE: ( )
KEYFIELD 3 CODE: ( )	Rev. 1/2/78